

**Yukon City Council Minutes
June 20, 2017**

The Yukon City Council met in regular session on June 20, 2017 at 7:00 p.m. in the Council Chambers of the Centennial Building, 12 South Fifth Street, Yukon, Oklahoma.

The invocation was given by Pastor Gary Reynolds, Yukon First Church of the Nazarene

The flag salute was given in unison.

ROLL CALL: (Present) Michael McEachern, Mayor
Donna Yanda, Council Member
Richard Russell, Council Member
John Alberts, Council Member
(Absent) Earline Smaistrla, Vice Mayor

OTHERS PRESENT:

Jim Crosby, City Manager	Doug Shivers, City Clerk
Tammy DeSpain, Assistant City Manager	Robbie Williams, Triad
John Corn, Police Chief	Philip Merry, City Treasurer
Gary Cooper, IT Director	Jason Beal, Deputy City Clerk
Gary Miller, City Attorney	Sara Schieman, Librarian
Dana Deckard, Administration	Jenna Roberson, PIO
Jerome Brown, IT	

Mayor McEachern asked that everyone keep Council Member Smaistrla and her family in their thoughts and prayers due to a death in her family.

Presentations and Proclamations

None

Visitors

None

(Recess as Yukon City Council and Reconvene as Yukon Municipal Authority)

1A. YMA Consent Docket

This item is placed on the agenda so the Yukon Municipal Authority, by unanimous consent, can designate those routine items they wish to be approved by one motion. If an item does not meet with the approval of all Authority Members, that item will be heard in regular order.

The City Manager recommends a motion to approve:

- C) The minutes of the regular meeting of June 6, 2017**
- D) The Notice of Exercise of Option to Extend Municipal Solid Waste Landfill Disposal Services Contract with Oklahoma City Waste Disposal, Inc., a Waste Connections of Oklahoma, Inc. Company through July 31, 2017**

The motion to approve the YMA Consent Docket, consisting of the approval of the minutes of the regular meeting of June 6, 2017 and the Notice of Exercise of Option to Extend Municipal Solid Waste Landfill Disposal Services Contract with Oklahoma City Waste Disposal, Inc., a Waste Connections of Oklahoma, Inc. Company through July 31, 2017, was made by Trustee Yanda and seconded by Trustee Russell.

The vote:

AYES: Yanda, Alberts, Russell, McEachern

NAYS: None

VOTE: 4-0

MOTION CARRIED

2A. Presentation and acceptance of the 2015-2016 Financial Audit performed by HBC CPAs & Advisors

The motion to accept the 2015-2016 Financial Audit performed by HBC CPAs & Advisors, was made by Trustee Alberts and seconded by Trustee Yanda.

Lonnie Heim, HBC CPAs & Advisors, gave a report on the audit for the financial statements ending June 30, 2016. Mr. Heim stated this is a clean opinion. There were six items in the findings, most of them have been self-reported and are repeat findings. The first two items regarding issuing debt and capital assets are considered weaknesses. Items #3-6 are internal control issues regarding purchasing laws, state budget laws, 25% reserve fund level and budgeting for all funds. He believes these items have been addressed by staff and necessary changes have been made. Mayor McEachern asked if these are holdovers. Mr. Heim stated yes most occurred early in the fiscal year, but most are in compliance by the end of the fiscal year. This opinion does not go beyond June 30, 2016. Mr. Alberts asked about the clean opinion and what should the citizens takeaway from this report. Mr. Heim stated this means the financial statements are presented in accordance with generally accepted accounting principles, credit goes to the City for the clean opinion. The representation of condition, numbers, spending are materially correct. Mr. Crosby said in response to correcting internal controls, that policies are in place and changes have been made. He noted no money is being spent out of reserves. Mr. Crosby stated that Crawford & Associates will be giving an explanation of finances at an upcoming meeting. Mr. Heim noted that under the Budgetary Comparison Schedule, revenue was higher and expenditures were lower than budgeted. Mr. Heim stated that the City is in compliance with the federal program regarding the spending of federal money (Disaster Recovery Grant). Mr. Alberts asked about capital assets. Mr. Heim stated that staff is addressing capital assets, but it is a large undertaking and will take time to update.

The vote:

AYES: Russell, Alberts, McEachern, Yanda

NAYS: None

VOTE: 4-0

MOTION CARRIED

3A. Consider approving Budget Amendments for Fiscal Year 2017

The motion to approve Budget Amendments for Fiscal Year 2017, was made by Trustee Russell and seconded by Trustee Yanda.

Mr. Crosby stated these are transfers between funds to insure accounts balance.

The vote:

AYES: Alberts, Russell, Yanda, McEachern

NAYS: None

VOTE: 4-0

MOTION CARRIED

4A. Consider approving Resolution No. YMA 2017-03, a Resolution approving the Yukon, Oklahoma Municipal Authority budget for the fiscal year 2017-2018 and establishing budget amendment authority

The motion to approve Resolution No. YMA 2017-03, a Resolution approving the Yukon, Oklahoma Municipal Authority budget for the fiscal year 2017-2018 and establishing budget amendment authority, was made by Trustee Alberts and seconded by Trustee Russell.

The vote:

AYES: McEachern, Yanda, Russell, Alberts

NAYS: None

VOTE: 4-0

MOTION CARRIED

5A. Consider and take action with respect to Resolution No. YMA 2017-04, a Resolution of the Yukon Municipal Authority (the "Authority") authorizing the execution of professional services agreements pertaining to the financing of capital improvements benefitting the City of Yukon, Oklahoma; authorizing the Authority's Financial Advisor to distribute bid packages to prospective financial institutions in connection with the referenced financing; and containing other provisions relating thereto.

The motion to approve Resolution No. YMA 2017-04, a Resolution of the Yukon Municipal Authority (the "Authority") authorizing the execution of professional services agreements pertaining to the financing of capital improvements benefitting the City of Yukon, Oklahoma; authorizing the Authority's Financial Advisor to distribute bid packages to prospective financial institutions in connection with the referenced financing; and containing other provisions relating thereto, was made by Trustee Yanda and seconded by Trustee Russell.

The vote:

AYES: Russell, McEachern, Alberts, Yanda

NAYS: None

VOTE: 4-0

MOTION CARRIED

6A. Consider approving Amendment Five to the Agreement for Operations, Maintenance and Management Services with Veolia Water North America-Central, LLC, allowing for Change of Scope by adding the Frisco Water Tower and Booster Station and an increased fee for 2017-18 for an annual total fee of \$1,151,263.00, to take effect July 1, 2017, as recommended by the Public Works Director

The motion to approve Amendment Five to the Agreement for Operations, Maintenance and Management Services with Veolia Water North America-Central, LLC, allowing for Change of Scope by adding the Frisco Water Tower and Booster Station and an increased fee for 2017-18 for an annual total fee of \$1,151,263.00, to take effect July 1, 2017, as recommended by the Public Works Director, was made by Trustee Alberts and seconded by Trustee Russell.

The vote:

AYES: Alberts, Yanda, McEachern, Russell

NAYS: None

VOTE: 4-0

MOTION CARRIED

1. Consent Docket

This item is placed on the agenda so the City Council, by unanimous consent, can designate those routine items they wish to be approved by one motion. If an item does not meet with the approval of all Council Members, that item will be heard in regular order.

The City Manager recommends a motion that will approve:

- A) The minutes of the regular meeting of June 6, 2017**
- B) Payment of material claims in the amount of \$726,397.17**
- C) Designating the items on the attached list from the Technology Department as surplus and authorizing their sale, donation or trade**
- D) Renewal of the agreement between the City of Yukon and Crawford & Associates, P.C., for the preparation of annual financial statements, and general accounting and advisory assistance, through June 30, 2018**
- E) The 2017-2018 Renewal Participation Agreement with Oklahoma Municipal Assurance Group (OMAG) Workers' Compensation Plan in the amount of \$674,845.00**
- F) Renewal of the Prisoner Public Works Project contract with the Oklahoma Department of Corrections, for the assignment of Union City prisoners to Public Works projects, through June 30, 2018 at a rate of \$120 per month per prisoner**
- G) Renewal of the Inter-Governmental Agreement with the City of Oklahoma City for the Regional Household Hazardous Waste Collection Program, through June 30, 2018.**
- H) Setting the date for the next regular Council meeting for Thursday, July 6, 2017, 7:00 p.m., in the Council Chambers of the Centennial Building, 12 S. Fifth St.**

The motion to approve the Consent Docket, consisting of the minutes of the regular meeting of June 6, 2017; payment of material claims in the amount of \$726,397.17; designating the items on the attached list from the Technology Department as surplus and authorizing their sale, donation or trade; renewal of the agreement between the City of Yukon and Crawford & Associates, P.C., for the preparation of annual financial statements, and general accounting and advisory assistance, through June 30, 2018; the 2017-2018 Renewal Participation Agreement with Oklahoma Municipal Assurance Group (OMAG) Workers' Compensation Plan in the amount of \$674,845.00; renewal of the Prisoner Public Works Project contract with the Oklahoma Department of Corrections, for the assignment of Union City prisoners to Public Works projects, through June 30, 2018 at a rate of \$120 per month per prisoner; renewal of the Inter-Governmental Agreement with the City of Oklahoma City for the Regional Household Hazardous Waste Collection Program, through June 30, 2018; and setting the date for the next regular Council meeting for Thursday, July 6, 2017, 7:00 p.m., in the Council Chambers of the Centennial Building, 12 S. Fifth St., was made by Council Member Russell and seconded by Council Member Yanda.

The vote:

AYES: Yanda, McEachern, Russell, Alberts

NAYS: None

VOTE: 4-0

MOTION CARRIED

2. Reports of Boards, Commissions and City Officials - None**3. Acceptance of the 2015-2016 Financial Audit performed by HBC CPAs & Advisors**

The motion to accept the 2015-2016 Financial Audit performed by HBC CPAs & Advisors, was made by Council Member Alberts and seconded by Council Member Yanda.

The vote:

AYES: Yanda, Russell, Alberts, McEachern

NAYS: None

VOTE: 4-0

MOTION CARRIED

4. Consider approving Budget Amendments for Fiscal Year 2017

The motion to approve Budget Amendments for Fiscal Year 2017, was made by Council Member Yanda and seconded by Council Member Alberts.

Mr. Crosby stated these are transfers between funds to insure accounts balance some relating to the purchasing for police equipment out of PEST funds.

The vote:

AYES: McEachern, Alberts, Yanda, Russell

NAYS: None

VOTE: 4-0

MOTION CARRIED

5. Consider approving Resolution No. 2017-08, a Resolution approving the City of Yukon, Oklahoma budget for the fiscal year 2017-2018 and establishing budget amendment authority

The motion to approve Resolution No. 2017-08, a Resolution approving the City of Yukon, Oklahoma budget for the fiscal year 2017-2018 and establishing budget amendment authority, was made by Council Member Alberts and seconded by Council Member Russell.

The vote:

AYES: Alberts, Russell, McEachern, Yanda

NAYS: None

VOTE: 4-0

MOTION CARRIED

6. Consider approving Amendment Five to the Agreement for Operations, Maintenance and Management Services with Veolia Water North America-Central, LLC, allowing for Change of Scope by adding the Frisco Water Tower and Booster Station and an increased fee for 2017-18 for an annual total fee of \$1,151,263.00, to take effect July 1, 2017, as recommended by the Public Works Director

The motion to approve Amendment Five to the Agreement for Operations, Maintenance and Management Services with Veolia Water North America-Central, LLC, allowing for Change of Scope by adding the Frisco Water Tower and Booster Station and an increased fee for 2017-18 for an annual total fee of \$1,151,263.00, to take effect July 1, 2017, as recommended by the Public Works Director, was made by Council Member Russell and seconded by Council Member Yanda.

The vote:

AYES: McEachern, Yanda, Russell, Alberts

NAYS: None

VOTE: 4-0

MOTION CARRIED

7. **Consider awarding the contract for the City of Yukon Public Works Department Maintenance Facility Project and Yukon Community Support Foundation Storage Facility to Hixon Construction Company, LLC in the amount of \$727,106.00, as recommended by the City Engineer**

The motion to award the contract for the City of Yukon Public Works Department Maintenance Facility Project and Yukon Community Support Foundation Storage Facility to Hixon Construction Company, LLC in the amount of \$727,106.00, as recommended by the City Engineer, was made by Council Member Alberts and seconded by Council Member Russell.

In response to Mr. Alberts, Mr. Crosby stated this is in regards to moving the street building to make room for the new animal control building. This is the first step in moving forward with Pets & People. Both storage buildings will be located at the old cotton gin site and should be completed by February.

The vote:

AYES: Russell, McEachern, Yanda, Alberts

NAYS: None

VOTE: 4-0

MOTION CARRIED

8. **Consider a motion to recess as the Yukon City Council and convene into Executive Session, for confidential communications with representatives of McAfee & Taft concerning pending and potential litigation regarding certain individuals and businesses, as provided for in 25 OS 2003, Section 307(B)(4)**

The motion to recess as the Yukon City Council and convene into Executive Session, for confidential communications with representatives of McAfee & Taft concerning pending and potential litigation regarding certain individuals and businesses, as provided for in 25 OS 2003, Section 307(B)(4), was made by Council Member Alberts and seconded by Council Member Yanda.

The vote:

AYES: Yanda, Alberts, Russell, McEachern

NAYS: None

VOTE: 4-0

MOTION CARRIED

9. **Consider a motion to adjourn from Executive Session and reconvene as Yukon City Council**

The motion to adjourn from Executive Session and reconvene as Yukon City Council, was made by Council Member Russell and seconded by Council Member Alberts.

The vote:

AYES: Alberts, Russell, McEachern, Yanda

NAYS: None

VOTE: 4-0

MOTION CARRIED

Mayor McEachern read the following statement: While in Executive Session, only the items on the agenda were discussed, no action was taken, and no votes were cast.

10. **Consideration, discussion, and possible action regarding approving authorizing the initiation of litigation against Grayson Bottom, RS Meacham CPAs and Advisors, PLLC, and/or FSW&B CPAs-PLLC relative to actions and omissions in the performance of duties relative to the City's finances, the City's budget, the City's expenditure of funds, the City's financial statements and/or the audit of the City financial statements**

The motion to authorize the initiation of litigation against Grayson Bottom, RS Meacham CPAs and Advisors, PLLC, and/or FSW&B CPAs-PLLC relative to actions and omissions in the performance of duties relative to the City's finances, the City's budget, the City's expenditure of funds, the City's financial statements and/or the audit of the City financial statements, was made by Council Member Russell and seconded by Council Member Yanda.

The vote:

AYES: McEachern, Yanda, Alberts, Russell

NAYS: None

VOTE: 4-0

MOTION CARRIED

11. **New Business** – No new business

12. **Council Discussion**

Council Member Yanda sent her condolences to Earline. She also thanked those who attended the ODOT hearing.

Council Member Russell asked to keep your thoughts with Earline and her family.

Council Member Alberts sent his condolences to Earline and her family. The lights and the sidewalks at the park are great. Reminded everyone to get out and exercise.

Mayor McEachern sent his condolences to Earline. He read over a list of upcoming events and mentioned the Frontier Country Marketing Association awards where the City of Yukon won two awards including Outstanding Event for Rock the Route.

13. **Adjournment**



Doug Shivers, City Clerk



Michael, McEachern, Mayor

